

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ANDY KIM, in his personal capacity as a candidate for U.S. Senate, ANDY KIM FOR NEW JERSEY, SARAH SCHOENGOOD, SARAH FOR NEW JERSEY, CAROLYN RUSH and CAROLYN RUSH FOR CONGRESS;

Plaintiffs,

v.

CHRISTINE GIORDANO HANLON, in her official capacity as Monmouth County Clerk, et al.,

Defendants.

- and -

DALE A. CROSS, in his official capacity as Salem County Clerk, et al.

As Interested Parties.

Civ. Action. No.: 3:24-cv-1098 (ZNQ)(TJB)

**CERTIFICATION OF
ANGELO J. GENOVA, ESQ.**

I, ANGELO J. GENOVA, ESQ., of full age, hereby certify as follows:

1. I am an attorney-at-law in the State of New Jersey and Chairman at the law firm of Genova Burns LLC, counsel for defendants Christopher Durkin, Joanne Rajoppi, and Danielle Ireland-Imhof, the County Clerks for Essex, Union, and Passaic Counties (“Defendants”), respectively.

2. In preparation for the preliminary injunction hearing on March 18, 2024, and to respond to plaintiffs’ purported experts’ preliminary and supplemental reports, I have contacted and attempted to engage rebuttal academics who would qualify as experts to rebut their theories and conclusions.

3. However, despite my vigilant efforts all in the context of exigencies necessitated by this emergent application, those contacted stated that they would not have the time to assist or be otherwise engaged by my law firm in this matter before March 18, 2024.

4. Specifically, on February 29, 2024, I contacted Dr. R. Michael Alvarez, Ph.D., who is a Professor of Political and Computational Social Science at the California Institute of Technology (“Caltech”), as well as the Co-Director of the Caltech/Massachusetts Institute of Technology Voting Technology Project, regarding this litigation.

5. On March 4, 2024, I followed up with Dr. Alvarez, but still received no reply. On March 15, 2024, I again contacted Dr. Alvarez, who advised that he was too busy to assist in preparation for the March 18 hearing.

6. On March 15, 2024, I contacted Dr. Daniel Ho, Ph.D., who is a Professor of Law, Political Science, and Computer Science at Stanford University, whose published research includes topics such as estimating the effects of ballot design and order.

7. That same day, Dr. Ho advised that he also did not have time to assist on this matter given the limited timeframe.

8. Due to Plaintiffs’ delayed filing and the resulting exigency in the timing of the hearing, Defendants were unable to engage either Professor Alvarez or Professor Ho as potential expert rebuttal witnesses given their refusal to accept the engagement in the short time frame imposed to respond to plaintiffs’ motion for a preliminary injunction.

9. To date, I have not succeeded in identifying a potential suitable expert witness for rebuttal to the claims asserted in this Preliminary Injunction application in the timetable and under the circumstances posed by the accelerated schedule imposed by the court, particularly given the return date of March 18.

I certify that the foregoing statements are true to the best of my knowledge and belief. I understand that if any of the foregoing statements are willfully false, I am subject to punishment.

Respectfully submitted,

Dated: March 18, 2024

GENOVA BURNS LLC

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